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Murray & Tregurtha Co., 200 Fed. 368 (1st. Circ.). Such a course would differ in its effect from the refusal of equity to give relief in its concurrent jurisdiction, since here the libelant by pursuing his remedy *in personam* at law would achieve substantially the same result as he is seeking in admiralty. The recovery allowed in a court of law would be measured by the substantive law of admiralty. *Chelentis v. Luckenbach S. S. Co.*, 247 U. S. 372; *Berg v. Phila. & R. Ry.*, 266 Fed. 591 (E. D. Pa.). See 33 HARV. L. REV. 300.

CONSTITUTIONAL LAW — MAKING AND CHANGING CONSTITUTIONS — EFFECT OF ACQUIESCENCE ON IRREGULARLY ADOPTED AMENDMENT. — The Constitution of Alabama provides that the legislature shall appoint a day for special elections at which proposed constitutional amendments are to be submitted. (ALA. CONST., § 284.) In the case of the "Soldiers' and Sailors' Poll Tax Exemption Amendment" the legislature delegated this power to the Governor. The voters accepted the amendment and it was recognized by the governmental departments of the state, including the Supreme Court. (*Cornelius v. Pruet*, 204 Ala. 189, 85 So. 430.) *Quo warranto* proceedings were brought against the defendant, a jury commissioner, on the ground that the amendment had not been properly adopted, and that, not having paid a poll tax, he was not a qualified elector and hence ineligible to hold his office under the constitution. (ALA. CONST., § 178.) The defendant's demurrer was overruled. *Held*, that the judgment be affirmed. *Hooper v. State*, 89 So. 593 (Ala.).

For a discussion of the principles involved, see NOTES, *supra*, p. 593.

CRIMINAL LAW — FORMER JEOPARDY — SEPARATE CONVICTIONS FOR THE ROBBERY OF TWO PERSONS ON ONE OCCASION. — The defendant on the same occasion robbed A and B, and was convicted of the robbery of A. On an indictment for the robbery of B the defendant pleaded former jeopardy. *Held*, that a judgment overruling the plea be affirmed. *Thompson v. State*, 234 S. W. 400 (Tex.).

Where two distinct acts result in as many crimes, even though in the same transaction, prosecution for one will be no bar to prosecution for the other. *Mann v. Comm.*, 118 Ky. 67, 80 S. W. 438; *Ashton v. State*, 31 Tex. Cr. R. 482, 21 S. W. 48. *Contra*, *Dean v. State*, 9 Ga. App. 571, 71 S. E. 932. Moreover, one may by the same act commit two distinct offenses and be prosecuted separately for each. *State v. Inness*, 53 Me. 536. See WHARTON, CRIMINAL PLEADING & PRACTICE, §§ 468-471. The validity of the plea of former jeopardy depends, not upon whether the defendant has once before been in jeopardy for the same act, but upon whether he has been in jeopardy for the same offense. See *Gavieres v. United States*, 220 U. S. 338, 342; *Morey v. Comm.*, 108 Mass. 433, 434. In larceny cases the authorities are in conflict. One line of authority holds that a defendant can only once be put in jeopardy for the taking, on one occasion, of the property of several persons. *State v. Sampson*, 157 Iowa, 257, 138 N. W. 473. See *Hoiles v. United States*, 3 McAr. (D. C.) 370. But see *Comm. v. Sullivan*, 104 Mass. 552. But this anomalous rule is limited to larceny. Whether, in the principal case, there were two acts or one act, the defendant clearly committed two separate offenses. The decision is correct. *Keeton v. Comm.*, 92 Ky. 522, 18 S. W. 359; *State v. Bynum*, 117 N. C. 749, 23 S. E. 218. See also *In re Allison*, 13 Colo. 525, 22 Pac. 820.

CUSTOMS AND USAGES — SALVAGE — USAGE OF RENDERING SALVAGE SERVICES GRATUITOUSLY. — By a long established usage, fishing vessels on the coast of British Columbia rendered aid to each other gratuitously. The plaintiff performed salvage services for the defendant without actual knowledge of the custom. *Held*, that the defendant is not liable for salvage. *The "Freiya"* v. *The "R. S."*, 59 D. L. R. 330.